

of the infant or toddler involved has changed with respect to the eligibility of the infant or toddler for services under this part.

(Authority: 20 U.S.C. 1433 and 1438)

[58 FR 40959, July 30, 1993, as amended at 63 FR 18293, Apr. 14, 1998]

**§ 303.4 Limitation on eligible children.**

This part 303 does not apply to any child with disabilities receiving a free appropriate public education, in accordance with 34 CFR part 300, with funds received under 34 CFR part 301.

(Authority: 20 U.S.C. 1419(h))

**§ 303.5 Applicable regulations.**

(a) The following regulations apply to this part:

(1) The Education Department General Administrative Regulations (EDGAR), including—

(i) Part 76 (State Administered Programs), except for § 76.103;

(ii) Part 77 (Definitions that Apply to Department Regulations);

(iii) Part 79 (Intergovernmental Review of Department of Education Programs and Activities);

(iv) Part 80 (Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments);

(v) Part 81 (Grants and Cooperative Agreements under the General Education Provisions Act—Enforcement);

(vi) Part 82 (New Restrictions on Lobbying); and

(vii) Part 85 (Governmentwide Debarment and Suspension (Nonprocurement) and Governmentwide Requirements for Drug-Free Work Place (Grants)).

(2) The regulations in this part 303.

(3) The following regulations in 34 CFR part 300 (Assistance to States for the Education of Children with Disabilities Program): §§ 300.560–300.577, and §§ 300.580–300.585.

(b) In applying the regulations cited in paragraphs (a)(1) and (a)(3) of this section, any reference to—

(1) *State educational agency* means the lead agency under this part;

(2) *Special education, related services, free appropriate public education, free public education, or education* means

“early intervention services” under this part;

(3) *Participating agency*, when used in reference to a local educational agency or an intermediate educational agency, means a local service provider under this part;

(4) *Section 300.128* means §§ 303.164 and 303.321; and

(5) *Section 300.129* means § 303.460.

(Authority: 20 U.S.C. 1401, 1416, 1417)

[58 FR 40959, July 30, 1993, as amended at 63 FR 18294, Apr. 14, 1998, 64 FR 12535, Mar. 12, 1999]

DEFINITIONS

NOTE: Sections 303.6–303.24 contain definitions, including a definition of “natural environments” in § 303.18, that are used throughout these regulations. Other terms are defined in the specific subparts in which they are used. Below is a list of those terms and the specific sections in which they are defined:

Appropriate professional requirements in the State (§ 303.361(a)(1))  
 Assessment (§ 303.322(b)(2))  
 Consent (§ 303.401(a))  
 Evaluation (§ 303.322(b)(1))  
 Frequency and intensity (§ 303.344(d)(2)(i))  
 Highest requirements in the State applicable to a profession or discipline (§ 303.361(a)(2))  
 Individualized family service plan and IFSP (§ 303.340(b))  
 Impartial (§ 303.421(b))  
 Location (§ 303.344(d)(3))  
 Method (§ 303.344(d)(2)(ii))  
 Native language (§ 303.401(b))  
 Personally identifiable (§ 303.401(c))  
 Primary referral sources (§ 303.321(d)(3))  
 Profession or discipline (§ 303.361(a)(3))  
 Special definition of “aggregate amount” (§ 303.200(b)(1))  
 Special definition of “infants and toddlers” (§ 303.200(b)(2))  
 Special definition of “State” (§ 303.200(b)(3))  
 State approved or recognized certification, licensing, registration, or other comparable requirements (§ 303.361(a)(4))

**§ 303.6 Act.**

As used in this part, *Act* means the Individuals with Disabilities Education Act.

(Authority: 20 U.S.C. 1400)

**§ 303.7 Children.**

As used in this part, *children* means *infants and toddlers with disabilities* as that term is defined in § 303.16.

(Authority: 20 U.S.C. 1432(5))